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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, or☒ Application No. 10/041,934, filed on Jan. 8, 2002☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

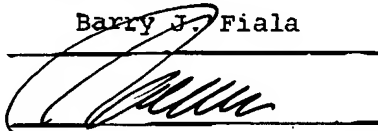
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one:

Barry J. Fiala

Signature:

Resident of: Memphis, TNCitizen of: USA (Date: 8/12/02)

Inventor two:

Mark B. Hodes

Signature:

Resident of: Memphis, TNCitizen of: USA (Date: _____)

Inventor three:

Signature: _____

Citizen of: _____

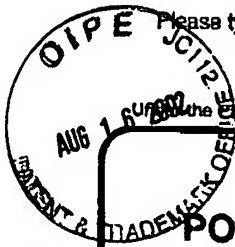
Inventor four:

Signature: _____

Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box →



PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0851-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/041,934
Filing Date	Jan. 8, 2002
First Named Inventor	Barry J. Fiala
Group Art Unit	2161
Examiner Name	
Attorney Docket Number	A0,031

I hereby appoint:

- ☐ Practitioners at Customer Number → Place Customer
Number Bar Code
Label here
- ☒ Practitioner(s) named below:

Name	Registration Number
Russell H. Walker	35,401
Larry W. McKenzie	28,239

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

- ☐ The above-mentioned Customer Number.

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Russell H. Walker, Reg. No.: 35,401		
Address	Walker, McKenzie & Walker, PC		
Address	6363 Poplar Ave., Suite 434		
City	Memphis	State	TN Zip 38119
Country	USA		
Telephone	901-685-7428	Fax	901-682-6488

I am the:

- ☒ Applicant/Inventor.
- ☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

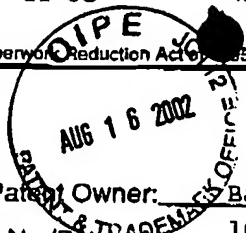
SIGNATURE of Applicant or Assignee of Record

Name	Barry J. Fiala, Chief Manager, Riverborne Communications, LLC
Signature	
Date	8/12/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

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Approved for use through 10/31/2002. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Barry J. Fiala and Mark B. HodesApplication No./Patent No.: 10/041,934 Filed/Issue Date: Jan. 8, 2002Entitled: Point-Of-Sale Activation and Subsequent Registration of Products
Riverborne Communications, LLC a Tennessee Limited Liability Company
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
 The extent (by, percentage) of its ownership interest is _____ %
 in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8/12/02
 Date

Barry J. Fiala, Chief Manager

Typed or printed name

Signature

Chief Manager, Riverborne Communications LLC

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT

WHEREAS, we, Barry J. Fiala ("Fiala"/Assignor), of Germantown, County of Shelby, State of Tennessee and a citizen of the United States of America, whose residence and Post Office address is 200 Wagner Street, Memphis, Tennessee 38103, and Mark B. Hodes ("Hodes"/Assignor), of Bartlett, County of Shelby, State of Tennessee and a citizen of the United States of America, whose last-known residence and Post Office address was 7009 Rose Trail Drive, Memphis, Tennessee 38135, are the inventors of certain new and useful improvements in Point-of-Sale Activation and Subsequent Registration of Products (the "Invention") as described in U.S. Provisional Application No. 60/260,058 (filed January 5, 2001) entitled "Point-of-Sale Activation and Subsequent Registration of Products" (the "Provisional Application") and as further described and claimed in a patent application entitled "Point-of-Sale Activation and Subsequent Registration of Products" as filed in the U.S. Patent and Trademark Office on January 8, 2002, as U.S. Non-Provisional Application No. 10/041,934 and as a corresponding PCT application on same date (together the "U.S. and PCT Non-Provisional Applications"); and,

WHEREAS, Riverborne Communications, LLC ("Riverborne"/Assignee), a Tennessee limited liability company, whose principal place of business is 1230 N. Watkins St., Memphis, Tennessee 38108, is desirous of acquiring the entire right, title and interest in and to said Invention and said Provisional Application and said U.S. and PCT Non-Provisional Applications;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), the receipt of which in hand is hereby acknowledged by each of us, and other good and valuable consideration, we, Barry J. Fiala (Assignor) and Mark B. Hodes (Assignor), by these presents do sell, assign and transfer unto the said Riverborne (Assignee), our full and exclusive right, both domestic and foreign, to the said Invention, as well as said Provisional Application and said U.S. and PCT Non-Provisional Applications, together with any and all other provisional and non-provisional

1 patent applications therefor, both domestic and foreign, and also our entire right, title, and
2 interest in and to any and all Letters Patent that may be granted therefor, both domestic and
3 foreign, as well as any and all Letters Patent granted upon any divisional, reissue, re-examination,
4 continuation, and/or continuation-in-part applications whether or not claiming priority thereof,
5 both domestic and foreign, as well as any and all extensions of term therefor.

6 We, Barry J. Fiala and Mark B. Hodes, hereby authorize and request the Commissioner
7 of Patents and Trademarks to issue any and all said Letters Patent to the said Riverborne
8 (Assignee), as the assignee of the entire right, title, and interest in and to the same, for its sole use
9 and behoof; and for the use and behoof of its legal representatives, assigns, and/or successors, to
10 the full end of the term and any extensions thereof for which any and all said Letters Patent may
11 be granted, as fully and entirely as the same would have been held by us had this assignment and
12 sale not been made.

13 And we, Barry J. Fiala and Mark B. Hodes, hereby covenant and agree that we will at any
14 time, upon request, execute and deliver any and all papers that may be necessary or desirable to
15 perfect the titles of said Assignee or its successors or assigns to said invention and to any and all
16 Letters Patent that may be granted therefor, both domestic and foreign, as well as any and all
17 Letters Patent granted upon any divisional, reissue, re-examination, continuation, and/or
18 continuation-in-part applications claiming priority thereof, both domestic and foreign, as well as
19 any and all extensions of term therefor.

20 This agreement will be interpreted in accordance with the Federal patent laws and the
21 laws of the State of Tennessee, without regard to any provisions of conflicts of laws.

22 WHEREFORE, we, Barry J. Fiala and Mark B. Hodes, with intent to be legally bound,
23 now subscribe to this Assignment by our signatures set forth below.

1 Executed this 12TH day of AUGUST, 2002, at the city/town of

2 _____
3 
4

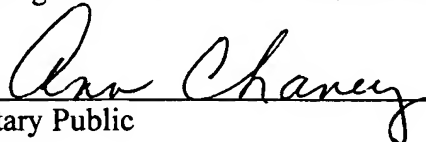
Barry J. Fiala (Assignor/Inventor)

5 STATE OF Tennessee)

6) SS:

7 COUNTY OF Shelby)

8 Sworn and subscribed before me at the city/town of Memphis
9 this 12th day of August, 2002, by the said Barry J. Fiala, who personally
10 appeared before me and acknowledged the foregoing instrument to be his free act and deed.

11 
12 _____
Notary Public

13 My Commission expires:

14 5/16/06

15 (SEAL)

1 Executed this ____ day of _____, 2002, at the city/town of
2 _____.

3 _____
4 Mark B. Hodes, (Assignor/Inventor)

5 STATE OF _____)
6) SS:
7 COUNTY OF _____)

8 Sworn and subscribed before me at the city/town of _____
9 this ____ day of _____, 2002, by the said Mark B. Hodes, who
10 personally appeared before me and acknowledged the foregoing instrument to be his free act and
11 deed.

12 _____
13 Notary Public
14 My Commission expires:
15 _____.

16 (SEAL)